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IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MICHAEL SHAMO,

Defendant.

Case No. 2:16-cr-00631-DAK

UNITED STATES’ SENTENCING
 MEMORANDUM

Judge Dale A. Kimball

The United States recommends that the Court adopt the presentence investigation report and impose the minimum mandatory sentence for Count 1—life imprisonment. The United States submits this memorandum to show an aspect of the nature and circumstances of the offense that was not covered at trial—customers who have died from overdoses—and to explain how other aspects the Court is required to consider under 18 U.S.C. § 3553(a) also support a sentence of life imprisonment.

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SENTENCING DISCUSSION

The Court heard trial testimony from forty-seven witnesses and received into evidence hundreds of exhibits. The United States will not repeat in this memorandum what the Court saw and heard at trial. In the sections that follow, the United States will cover statutory factors the Court is required to consider prior to sentencing the defendant. *See* 18 U.S.C. § 3553(a).¹

¹ As this Court is aware, all sentencing proceedings should begin with correctly calculated sentencing guidelines. *United States v. Rosales-Miranda*, 755 F.3d 1253, 1259 (10th Cir. 2014). The U.S. Probation Office has correctly calculated the sentencing guidelines in this case.

1. Victims under the Crime Victims' Rights Act

The following victims were identified in the Second Superseding Indictment in Counts 1 and 6. The United States intends to file additional, restitution-related pleadings for these deceased victims.² Here are short paragraphs for each victim that show when each died from ingesting Pharma-Master's Fentanyl-laced fake oxycodone.

1.1 G.K. ordered sixty Fentanyl-laced pills from Pharma-Master. The last known order, for twenty pills, was placed on August 3, 2016. On the evening of August 12, 2016, G.K. went to party with friends, but became separated from his group. A passerby found him the following morning dead in the grass outside an apartment complex. Police officers found pills marked as if they were Oxycodone pills on G.K.'s person. G.K. died with Fentanyl, Alprazolam, and Ethanol in his system.

1.2 C.V. ordered fourteen Fentanyl-laced pills from Pharma-Master marked as Roxy-Oxycodone 30mg. The last known order was placed on March 3, 2016. C.V. overdosed and died on March 25, 2016, after using drugs with a friend in his apartment the prior evening. The friend found C.V. dead on the 25th. C.V. died with Cocaine, Fentanyl, and Alprazolam in his system.

1.3 E.B. ordered forty-four Fentanyl-laced pills from Pharma-Master marked as Roxy-Oxycodone 30mg on April 5-6, 2016. The pills were delivered on April 13, 2016. E.B. died April 24, 2016, inside his dorm room after a night of partying. His toxicology screening showed he had Ethanol, Cocaine, Diazepam, and Fentanyl in his system at the time of his death.

1.4 The Court, at trial, heard considerable evidence about the death of R.K., who, along with his friend, G.L., ordered ten Fentanyl-laced pills from Pharma-Master on June 6, 2016. The pills

² The Defendant's landlord is also a victim for whom the United States will seek restitution in future pleadings.

were delivered on June 11, 2016. R.K. snorted one of the crushed pills on the evening of June 12, 2016. R.K. was found dead by his friend G.L. on June 13, 2016, inside his bedroom. His toxicology screening showed he had Fentanyl, Ethyl Alcohol, Benzoylcegonine, Ecgonine Methyl Ester, Cocaethylene, and Levamisole in his system at the time of his death.

2. History and Characteristics of the Defendant

The defendant's history and characteristics support the imposition of a life sentence. The defendant dedicated himself to building his drug trafficking empire and becoming rich. The defendant also knew about the acute dangers of Fentanyl but continued to produce Fentanyl-laced fake oxycodone pills at an ever-increasing rate prior to his arrest.

2.1 Build an Empire and become Rich

Testimony at trial established that the defendant spent most of his wakeful hours in pursuit of his goals to build an empire and to become rich. The defendant made his goals clear in his journal writing, as seen in trial exhibit 14.19:

Note
<p>Title: Love you shamo, your such a great guy and everyone loves you lol...</p> <p>Summary: Today is the first day of 2016, let's do it right.</p> <p>Source: Notes</p> <p>Body: Love you shamo, your such a great guy and everyone loves you lol</p> <p>Today is the first day of 2016, let's do it right. I will over achieve, I will overcome and i will be fucking rich</p> <p>Every girl will love me, they will want me, they need me</p> <p>Focus, every small detail matters I want that girl from snow globe to like me; she will love me, she doesn't know it yet but she will be obsessed with me :)</p> <p>Life is great, life is amazing, I honestly can't wait to live it. Gonna make 250k in the next few months easy.</p>

2.2 Knew about the Devastating Effect of Fentanyl

While the defendant at trial attempted to deny full understanding of the dangers of spiking his pills with Fentanyl, the defendant accessed two videos on his password-protected computer that show otherwise. The first is a short video produced by the DEA about the dangers Fentanyl posed to law enforcement officers:³



DEA Fentanyl Roll Call Video

In the video, officers are instructed that Fentanyl is more than forty times as powerful as heroin and that a small amount ingested or absorbed through skin can kill a person.

Shortly after watching the DEA-produced video, the defendant clicked on a 52-minute feature film about Fentanyl and the opioid crisis produced by the VICE Media Group.⁴ The opening scene shows an addict crush and snort pills that appear to be oxycodone but really contain Fentanyl:

³ <https://www.youtube.com/watch?v=9Xi4A8S23Xo>, last accessed February 20, 2020.

⁴ <https://www.youtube.com/watch?v=28rJqj-7pEY>, last accessed February 24, 2020.



Fentanyl: The Drug Deadlier than Heroin

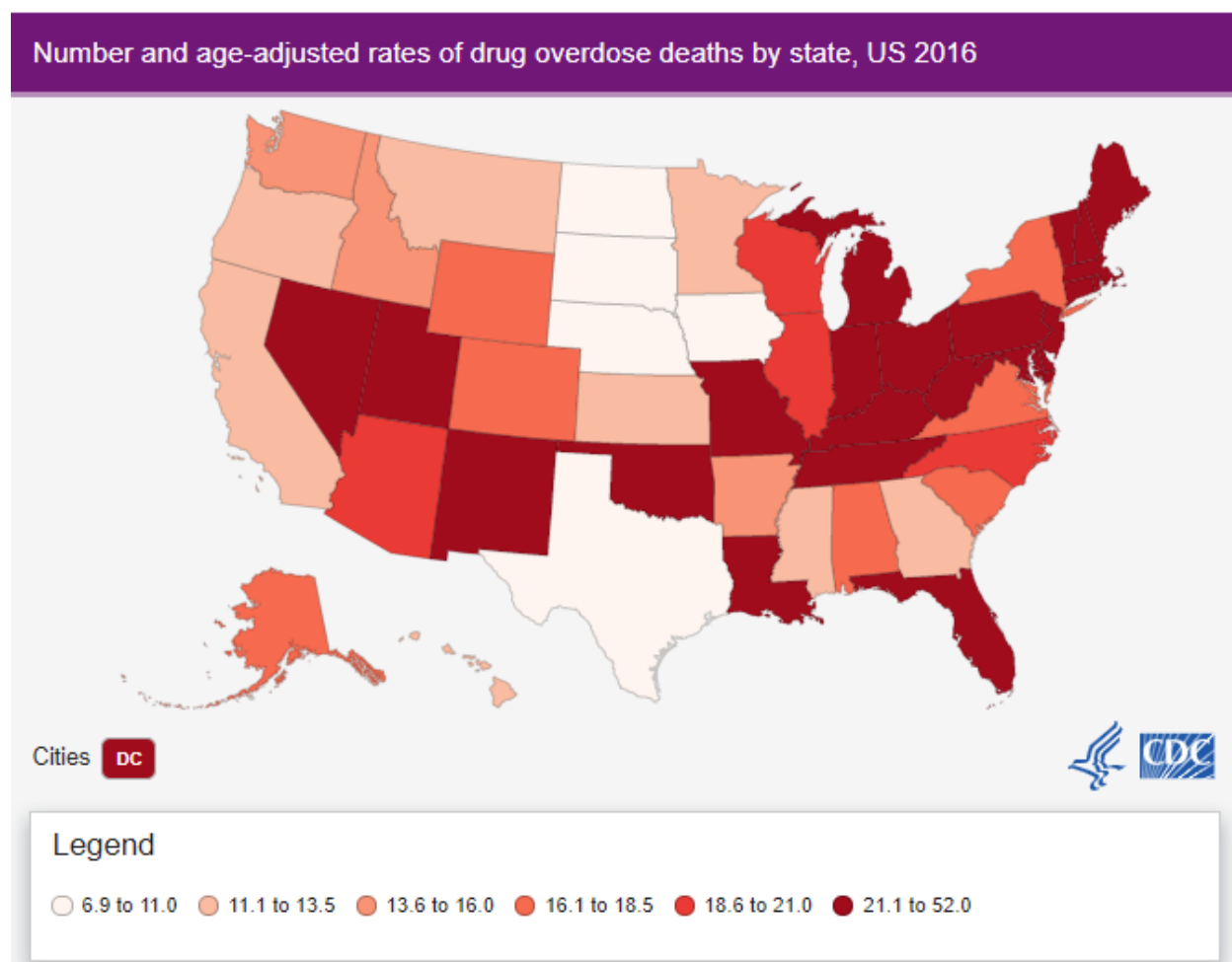
In the film, the deadly potency of Fentanyl is discussed at length by addicts and medical providers. The defendant knew the acute danger of Fentanyl but continued to produce and sell Fentanyl-laced fake oxycodone because of his goals to build an empire and become rich.

3. Seriousness of the Offense

The Defendant engaged in, and was convicted of, the most serious offense in the Controlled Substances Act. His Fentanyl pills were distributed to recipients in every state in the Union.

Our nation's opioid crisis was in full effect by the end of 2016, when Mr. Shamo was distributing his Fentanyl-laced fake oxycodone. In 2016, more than 63,000 people overdosed and died—more than 42,000 of those deaths involved an opioid; the rate at which victims died from

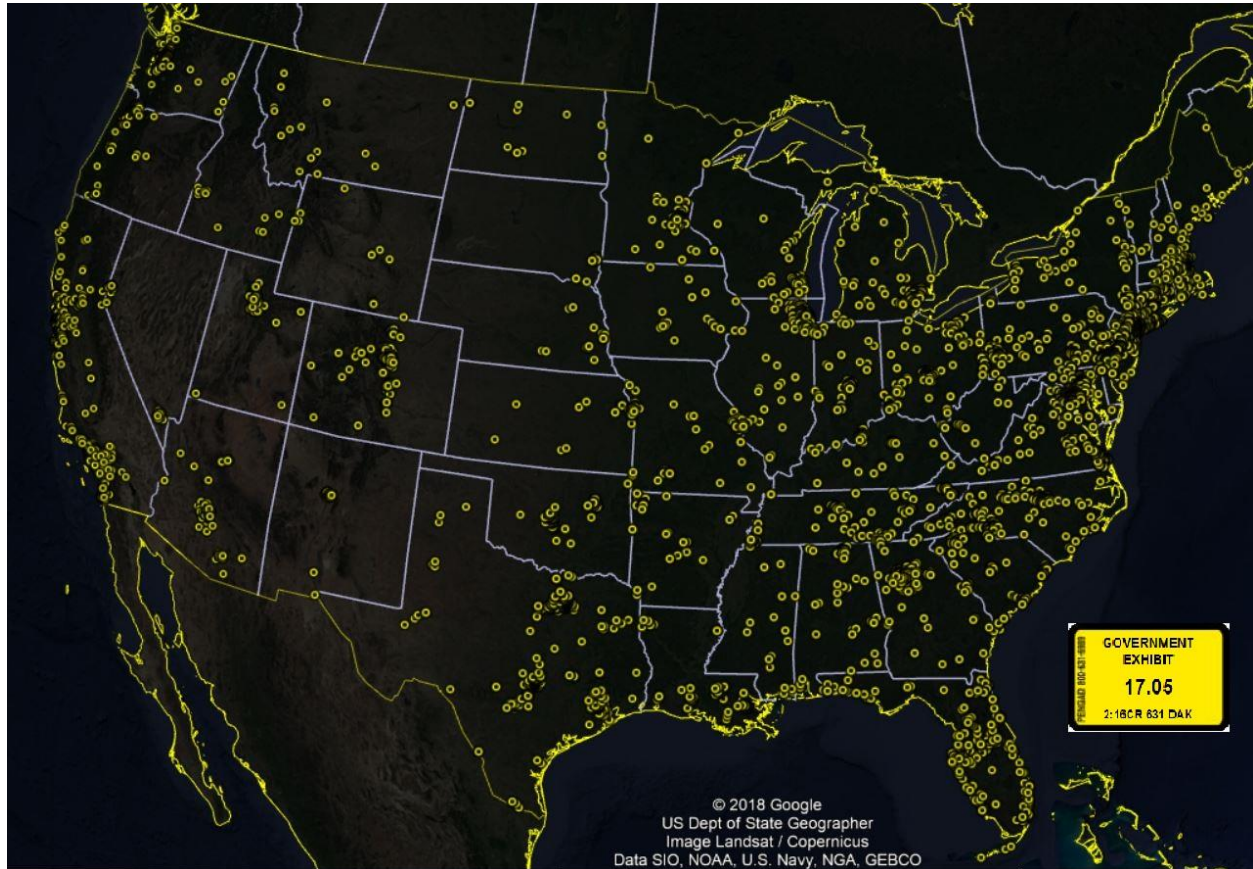
synthetic opioids, like Fentanyl, doubled between 2015 and 2016.⁵ The CDC tracked and mapped⁶ drug overdoses in 2016; the color-key shows overdose deaths per 100,000 people:



⁵ Hedegaard H, Warner M, Miniño AM. Drug overdose deaths in the United States, 1999–2016. NCHS Data Brief, no 294. Hyattsville, MD: National Center for Health Statistics. 2017; accessed at <https://www.cdc.gov/nchs/products/databriefs/db294.htm>, last accessed September 30, 2019.

⁶ <https://www.cdc.gov/drugoverdose/data/statedeaths/drug-overdose-death-2016.html>, which drew its data from Scholl L, Seth P, Kariisa M, Wilson N, Baldwin G. Drug and Opioid-Involved Overdose Deaths — United States, 2013–2017. MMWR Morb Mortal Wkly Rep 2019;67:1419–1427, last accessed September 30, 2019.

The true number of overdoses from Mr. Shamo's Fentanyl-laced fake oxycodone cannot be ascertained—anytime he sent a large shipment to a redistributor, agents lost the ability to research that redistributor's customers. However, the scope of his distribution—significantly more than the 458,000 Fentanyl-laced fake oxycodone pills for which agents captured AlphaBay feedback data—was shown at trial:



Mr. Shamo's prolific distribution of drugs led to incalculable loss and suffering.⁷

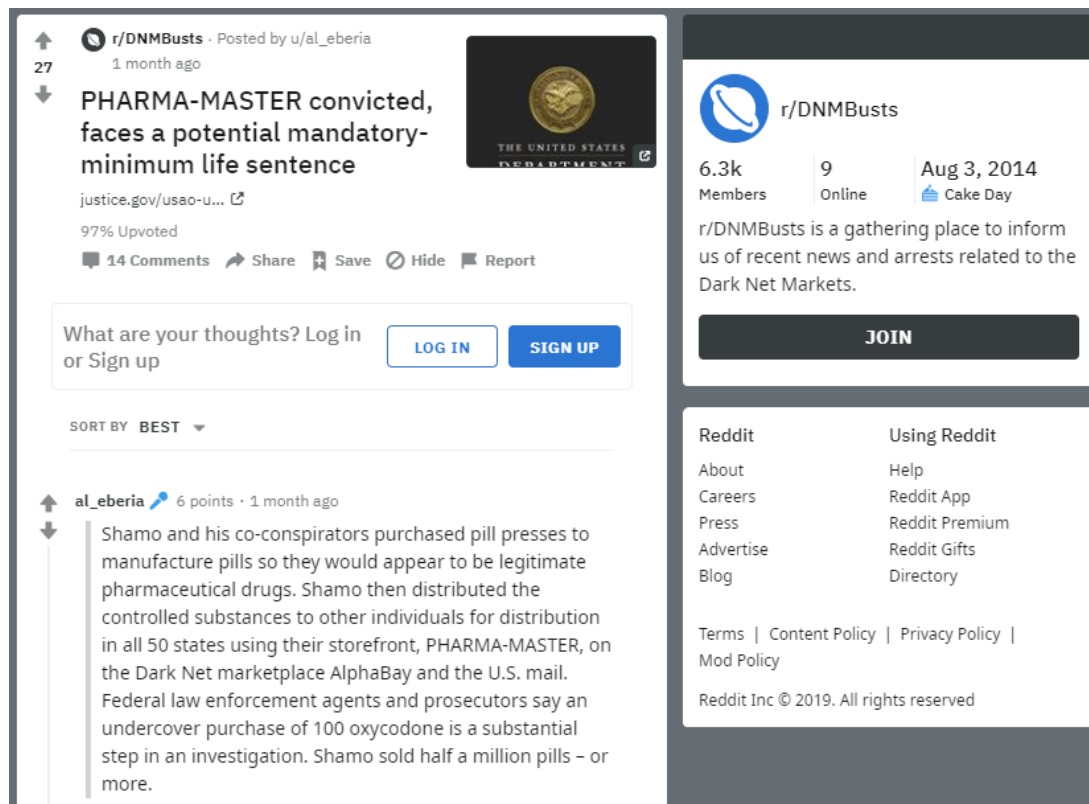
⁷ While the vast majority of the harm Mr. Shamo inflicted came from his Fentanyl-laced fake oxycodone pills, there is emerging research that illicit benzodiazepine use causes substantial harm to addicts. See <https://www.cnn.com/2019/10/04/health/benzodiazepines-this-is-life-with-lisa-ling/index.html>, last accessed October 28, 2019.

4. Promoting Respect for the Rule of Law

This case is an extreme example of the dangers inherent in narcotics trafficking and the tragic harm it causes. A sentence of life imprisonment promotes adequate respect for the law.

5. Adequate Deterrence to Criminal Conduct

Mr. Shamo's contemporaries—those who sell drugs on the dark net—have paid attention to Shamo's case from start to finish. Recently, his case was highlighted on a Reddit subreddit dedicated to dark net market busts, where more than six thousand members and anyone else who might be interested saw that Mr. Shamo—or Pharma-Master, as he was known to them—faced a mandatory-minimum life sentence.⁸



⁸

https://www.reddit.com/r/DNMBusts/comments/cxref2/pharmamaster_convicted_faces_a_potential/; last accessed September 30, 2019.

Traditional news media reported Mr. Shamo's case and verdict.⁹ Two reporters from the Associated Press attended the trial and wrote an especially comprehensive, well-researched article about Mr. Shamo's case and the opioid epidemic. That article was picked up by news publications throughout the country and has been attached to this sentencing memorandum as Exhibit A.¹⁰

⁹ <https://www.washingtonpost.com/health/2019/09/18/face-opioid-epidemic-how-college-dropout-became-fentanyl-kingpin/>; last accessed September 30, 2019.
<https://www.washingtonpost.com/news/morning-mix/wp/2016/11/23/dea-raids-colossal-fentanyl-operation-in-one-of-the-largest-drug-busts-in-utah-history/>; last accessed September 30, 2019.
<https://www.nytimes.com/2017/06/10/business/dealbook/opioid-dark-web-drug-overdose.html>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/26/20833760/aaron-shamo-accused-drug-kingpin-left-parents-holding-bag-of-cash-fentanyl>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/27/20835297/aaron-shamo-utah-drug-trial-opioids-fentanyl>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/27/20835400/aaron-shamo-trial-federal-court-utah-drug-trafficker>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/30/20840745/aaron-shamo-verdict-utah-nationwide-opioid-trafficking-ring-man-found-guilty>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/29/20837643/utah-aaron-shamo-trial-federal-prosecutors>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/11/20803484/accused-utah-pillmaker-linked-to-fentanyl-death-goes-on-trial-in-federal-court>; last accessed September 30, 2019.
<https://www.deseret.com/utah/2019/8/15/20807204/ex-employee-takes-stand-in-trial-for-utahn-accused-of-leading-opioid-ring-aaron-shamo>; last accessed September 30, 2019.
<https://www.deseret.com/2017/6/22/20634427/from-mormon-kid-to-alleged-drug-kingpin-inside-the-rise-and-fall-of-aaron-shamo>; last accessed September 30, 2019.
<https://www.deseret.com/2019/8/12/20803502/prosecutors-portray-utahn-as-drug-kingpin-defense-says-shamo-wasn-t-at-top-of-trafficking-organizati>; last accessed September 30, 2019.
<https://www.deseret.com/2017/6/24/20614721/inside-the-newsroom-why-the-family-of-aaron-shamo-was-willing-to-talk>; last accessed September 30, 2019.
<https://www.deseret.com/2018/10/18/20656411/feds-link-overdose-death-to-accused-cottonwood-heights-pill-maker-in-new-charges>; last accessed September 30, 2019.

¹⁰ By Claire Galofaro and Lindsay Whitehurst, Associated Press, accessed at: <https://www.apnews.com/4b1ab6957f63491086bbe9dc58df13ec>; last accessed September 30, 2019.

Dark net drug traffickers falsely operate under the assumption that they are anonymous and untouchable. Dark net drug traffickers see the immense profit potential for the highest-volume sellers of opioids online—sellers like Mr. Shamo. A life sentence would deter current and future dark net drug traffickers.

6. Protecting the Public from further Crimes by the Defendant

The minimum mandatory sentence faced by the defendant should prevent him from committing any crime other than those he can commit while in custody.

7. Avoiding Unwarranted Sentencing Disparities

Because Mr. Shamo will be sentenced prior to any of his co-defendants, the Court will not have to determine whether Mr. Shamo's sentence creates an unwarranted sentencing disparity.

8. Nature and Circumstances of the Offense—Overdoses not Covered at Trial

Due to the risk of unfair prejudice at trial, the United States agreed to not present evidence to the jury that more than ninety of the defendant's customers had died from subsequent overdoses. While it is true in many instances that the defendant's pills did not directly cause his customers' deaths, in those instances the defendant's pills fed his customers' addictions until death ultimately took them. And it will never be fully known what percentage of the defendant's customers knew the defendant substituted Fentanyl for oxycodone in his fake oxycodone pills.

Similarly, the true number of the defendant's victims cannot be calculated. When the defendant sold Fentanyl-laced fake oxycodone pills in bulk to redistributors, the end user of those pills cannot be found by investigators. The decedents listed below were largely users, not profit-seeking redistributors.

As a memorial to those died, and to make a clear record of this central aspect to the nature and circumstances of the defendant's crimes, the defendant's now-deceased customers who were not mentioned at trial are discussed one-by-one below:¹¹

8.5 E.A. ordered ten Alprazolam 3mg pills marked as Xanax on July 12, 2016. E.A. died on November 25, 2016. His toxicology screening showed he had heroin and methamphetamine in his system at the time of his death.

8.6 J.A. ordered five hundred Alprazolam 3mg pills marked as Xanax on August 29, 2016. He died on December 15, 2016.

8.7 R.A. ordered twenty-one pills from Pharma-Master on February 17, 2016. His order consisted of twenty Alprazolam 3mg pills marked as Xanax and one MDMA 135mg tablet. R.A. died on January 30, 2017.

8.8 W.A. ordered three thousand three hundred Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg from Pharma-Master. The last known order was placed on October 10, 2016, for one thousand pills. W.A. died on February 12, 2018.

The phrase *last known order* is used here and below because agents only captured order data from two-thirds of Pharma-Master's drug sales. The remaining third did not generate a feedback row on AlphaBay from which the agents could collect the sales data. There is a real possibility that many of these now-deceased customers placed orders in addition to the order(s) for which we have data.

¹¹ Five of the Defendant's now-deceased customers were discussed at trial. Four of those now-deceased customers are victims as defined by the Crime Victims' Rights Act (CVRA). The circumstances surrounding their deaths are discussed above in section 1. The numbering sequence begins at 8.5 to enable an easy count of the lives known to have been forever changed by the defendant's actions.

- 8.9 E.B. ordered two Fentanyl-laced pills marked as Roxy-Oxycodone 30mg on April 19, 2016. E.B. died on October 21, 2016.
- 8.10 J.B. ordered seventy Alprazolam 3mg pills marked as Xanax in two orders. The last known order was placed on February 10, 2016. J.B. died on May 1, 2017.
- 8.11 E.B. ordered 43 pills from Pharma-Master. His orders consisted of Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills, Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on August 3, 2016. E.B. died on November 29, 2016.
- 8.12 J.B. ordered six hundred thirty pills from Pharma-Master. His orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills. The last known order was placed on November 19, 2016. J.B. died on June 12, 2017.
- 8.13 S.B. ordered ten Alprazolam 3mg pills marked as Xanax on January 15, 2016. S.B. died on November 27, 2016.
- 8.14 C.B. ordered thirty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills on April 19, 2016. C.B. died on October 29, 2017.
- 8.15 A.B. ordered one hundred twenty Alprazolam 3mg pills marked as Xanax. The last known order was placed on June 10, 2016. Police were called by A.B.'s father on July 13, 2016, as he was found unresponsive in his room. A.B. died on July 13, 2016, after numerous efforts to revive him were unsuccessful.
- 8.16 T.B. ordered ten Alprazolam 3mg pills marked as Xanax on June 24, 2016. T.B. died on July 6, 2018.

- 8.17 W.C. ordered one hundred twenty-two pills from Pharma-Master. His orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Alprazolam 3mg pills marked as Xanax, and a Mephedrone 1g pill. The last known order was placed on April 14, 2016. W.C. died on September 16, 2016.
- 8.18 V.C. ordered one Mephedrone 1g pill from Pharma-Master on March 13, 2016. Mephedrone is a synthetic cathinone. V.C. died on June 30, 2017.
- 8.19 B.C. ordered thirty-seven Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master. The last known order was placed on March 2, 2016. B.C. died on May 14, 2016. His toxicology screening showed he had Fentanyl and Alprazolam in his system at the time of his death.
- 8.20 D.C. ordered fifty Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills from Pharma-Master. The last known order was placed on October 3, 2016. D.C. died on April 7, 2017. His toxicology screening showed he had Fentanyl, Oxycodone, and Methamphetamine in his system at the time of his death.
- 8.21 M.C. ordered two hundred twenty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master. The last known order was placed on November 29, 2016, although an order was placed on November 19, 2016, prior to Shamo's indictment and arrest. M.C. died on April 6, 2017. His toxicology screening showed he had Fentanyl, Morphine, and Benzoylcegonine in his system at the time of his death.
- 8.22 N.C. ordered ten Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master on June 3, 2016. N.C. died on November 15, 2016. His toxicology screening showed he had Fentanyl, Alprazolam, and Methadone in his system at the time of his death.

- 8.23 C.C. ordered nineteen Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master on July 4, 2016. C.C. died on February 26, 2017.
- 8.24 C.C. ordered thirty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master on April 19, 2016. C.C. died on June 12, 2016. His toxicology screening showed he had Fentanyl, Diazepam, and Ecstasy in his system at the time of his death.
- 8.25 J.D. ordered two hundred forty Fentanyl-laced pills from Pharma-Master. His orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg, and Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg. The last known order was placed on August 8, 2016. J.D. died on October 9, 2018.
- 8.26 E.D.F. ordered one hundred Alprazolam 3mg pills marked as Xanax on November 8, 2016. E.D.F. died on November 17, 2016. His toxicology screening showed he had Fentanyl, Heroin, and Cocaine in his system at the time of his death.
- 8.27 T.D. ordered thirteen pills from Pharma-Master. His order consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg, and Etizolam 3mg pills on February 10, 2016. T.D. died on September 14, 2016. His toxicology screening showed he had Fentanyl, alcohol, and Cotinine in his system at the time of his death.
- 8.28 A.D. ordered thirty Alprazolam 3mg pills marked as Xanax on June 15, 2016. A.D. died on January 7, 2017.
- 8.29 M.D. ordered one hundred ten pills from Pharma-Master. His orders consisted of Alprazolam 3mg pills marked as Xanax, and Etizolam 3mg pills. The last known order was placed on August 4, 2016. M.D. died on February 8, 2018.
- 8.30 T.D. ordered ten Alprazolam 3mg pills marked as Xanax from Pharma-Master on June 22, 2016. T.D. died on February 2, 2017.

- 8.31 G.D. ordered ten Etizolam 3mg pills from Pharma-Master on April 11, 2016. G.D. died on December 31, 2016.
- 8.32 R.E. ordered eighty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on March 24, 2016. R.E. died on June 13, 2016.
- 8.33 A.F. ordered fifteen pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on April 12, 2016. A.F. died on April 1, 2017.
- 8.34 S.F. ordered ten Alprazolam 3mg pills marked as Xanax from Pharma-Master on February 16, 2016. S.F. died on March 12, 2016.
- 8.35 L.G. ordered one hundred ten pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on June 2, 2016. L.G. died on January 21, 2017. Her toxicology screening showed she had Fentanyl and Alprazolam in her system at the time of her death.
- 8.36 J.G. ordered ten Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on March 3, 2016. J.G. died on January 7, 2017. His toxicology screening showed he had Fentanyl and Hydromorphone in his system at the time of his death.
- 8.37 T. H. ordered twenty Alprazolam 3mg pills marked as Xanax from Pharma-Master on April 21, 2016. T. H. died on May 2, 2016.
- 8.38 B.H. ordered sixty-two pills from Pharma-Master. His orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Fentanyl-laced pills marked as M Box 30 Oxycodone pills, and Alprazolam 3mg pills marked as Xanax. The last known order was

placed on August 21, 2016. B.H. died on November 12, 2016. B.H. was a decorated Marine who suffered from depression and PTSD after returning from his deployments to the Middle East. His toxicology screening showed he had Alprazolam and U-47700 in his system at the time of his death.

8.39 P.H. ordered twenty-seven Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on September 28, 2016. P.H. died on December 28, 2016.

8.40 C.H. ordered three Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on May 9, 2016. C.H. died on May 28, 2016. His toxicology screening showed he had Alprazolam in his system at the time of his death.

8.41 M.I. ordered ten Alprazolam 3mg pills marked as Xanax from Pharma-Master on February 14, 2016. M.I. died on August 15, 2017.

8.42 J.J. ordered twenty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on July 22, 2016. J.J. died on April 7, 2017. His toxicology screening showed he had Fentanyl in his system at the time of his death.

8.43 R.A.J. ordered thirty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on May 7, 2016. R.J. died on December 5, 2016.

8.44 K.J. ordered four hundred forty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on July 28, 2016. K.J. died on August 28, 2016.

8.45 M.J. ordered twenty-two pills from Pharma-Master on March 11, 2016. Those orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and

- Alprazolam 3mg pills marked as Xanax. M.J. died on March 18, 2016. His toxicology screening showed he had Fentanyl and Alprazolam in his system at the time of his death.
- 8.46 J.K. ordered ten Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on April 10, 2016. J.K. died on April 12, 2016. His toxicology screening showed he had Fentanyl, Cocaine, and Alprazolam in his system at the time of his death.
- 8.47 G.L. (with R.K.) ordered twenty-one Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on June 6, 2016. G.L. was the friend who found R.K. dead on June 13, 2016. G.L. died on March 3, 2017. G.L.'s toxicology screening showed he had Fentanyl, Clonazepam, and Promethazine in his system at the time of his death.
- 8.48 L.L. ordered one hundred ten pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Diazepam (Valium) 10mg pills, and Tadalafil (Cialis) 20mg pills. The last known order was placed on July 12, 2016. L.L. died on December 19, 2016. Her toxicology screening showed she had Alprazolam, Amphetamine, and 7-Aminoclonazepam in her system at the time of her death.
- 8.49 M.L. ordered thirty-five pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills and Alprazolam 3mg pills marked as Xanax. The last known order was placed on October 2, 2016. M.L. died on April 16, 2017.
- 8.50 M.M. ordered four Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on January 26, 2016. M.M. died on January 20, 2017. His toxicology

screening showed he had Morphine and 7-Aminoclonazepam in his system at the time of his death.

- 8.51 R.M. ordered twenty Alprazolam 3mg pills marked as Xanax from Pharma-Master on February 4, 2016. R.M. died on May 26, 2016.
- 8.52 A.M. ordered ten Alprazolam 3mg pills marked as Xanax from Pharma-Master on February 7, 2016. A.M. died on November 10, 2016.
- 8.53 M.M. ordered fourteen Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on May 27, 2016. M.M. died on January 8, 2018.
- 8.54 D.M. ordered forty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on June 14, 2016. D.M. died on August 13, 2016. His toxicology screening showed he had Ethanol, Oxycodone, U-47700, Fentanyl, Promethazine, Citalopram, and Dextromethorphan in his system at the time of his death.
- 8.55 C.M. ordered twenty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on June 1, 2016. C.M. died on January 6, 2017.
- 8.56 J.M. ordered one hundred Alprazolam 3mg pills marked as Xanax from Pharma-Master on September 8, 2016. J.M. died on September 15, 2016.
- 8.57 M.M. ordered twenty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on June 24, 2016. M.M. died on July 16, 2018.
- 8.58 A.M. ordered ten Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on September 6, 2016. A.M. died on April 2, 2017.

- 8.59 C.N. ordered thirty Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills from Pharma-Master on August 5, 2016. C.N. died on March 30, 2017, in Phnom Penh, Cambodia. His toxicology screening showed he had Morphine and Methamphetamine in his system at the time of his death.
- 8.60 M.O. ordered eighty Alprazolam 3mg pills marked as Xanax from Pharma-Master on April 22, 2016. M.O. died on March 6, 2017.
- 8.61 B.P. ordered thirty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on June 29, 2016. B.P. died on December 30, 2016.
- 8.62 K.P. ordered forty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg from Pharma-Master. The last known order was placed on August 28, 2016. K.P. died on November 26, 2016. K.P.'s father found him unresponsive on the floor of his bedroom. Emergency medical services were called but all efforts to revive him were unsuccessful. His toxicology screening showed he had Ethanol, U-47700, Diazepam, Lorazepam, Hydroxyzine, and Citalopram/Escitalopram in his system at the time of his death.
- 8.63 S.P. ordered two hundred ten pills from Pharma-Master on June 3, 2016. This order consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Alprazolam 3mg pills marked as Xanax, and Etizolam 3mg pills. S.P. died on November 6, 2016.
- 8.64 B.P. ordered one hundred forty-three pills from Pharma-Master. The orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg, and Alprazolam 3mg pills marked as Xanax. The last known order took place on February 19, 2016. B.P. died on November 2, 2016.
- 8.65 C.P. ordered ten Alprazolam 3mg pills marked as Xanax from Pharma-Master on June 3, 2016. C.P. died on December 24, 2016.

- 8.66 G.R. ordered two Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on April 5, 2016. G.R. died on September 25, 2016.
- 8.67 S.R. ordered six Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on March 13, 2016. S.R. died on January 1, 2018.
- 8.68 D.R. ordered two hundred thirty pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on August 6, 2016. D.R. died on July 12, 2017.
- 8.69 S.S. ordered ninety-six Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on August 27, 2016. S.S. died on August 30, 2016.
- 8.70 K.S. ordered thirty pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on April 12, 2016. K.S. died on August 29, 2016.
- 8.71 C.S. ordered three thousand one hundred ten pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. The last known order was placed on August 5, 2016. C.S. died on August 9, 2016.
- 8.72 M.S. ordered thirty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on June 9, 2016. M.S. died on July 4, 2016.

- 8.73 J.S. ordered one Fentanyl-laced pill marked as a Roxy-Oxycodone 30mg pill from Pharma-Master on April 6, 2016. J.S. died on April 26, 2016.
- 8.74 M.S. ordered one hundred Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on June 7, 2016. M.S. died on August 12, 2016.
- 8.75 C.S. ordered thirty Alprazolam 3mg pills marked as Xanax from Pharma-Master on June 24, 2016. C.S. died on May 4, 2017.
- 8.76 J.S. ordered thirty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on April 22, 2016. J.S. died on May 28, 2016.
- 8.77 J.T. ordered thirty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on June 28, 2016. J.T. died on September 18, 2016.
- 8.78 D.T. ordered one thousand one hundred forty Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on August 24, 2016. D.T. died on May 13, 2017.
- 8.79 T.T. ordered sixty pills from Pharma-Master. These orders consisted of Alprazolam 3mg pills marked as Xanax, and Etizolam 3mg pills. The last known order was placed on February 4, 2016. T.T. died on November 18, 2016.
- 8.80 T.W. ordered fifteen pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills, and Alprazolam 3mg pills marked as Xanax. T.W. died on August 5, 2017. His toxicology screening showed he had Fentanyl, Mitragynine, Caffeine, and Cotinine in his system at the time of his death.

- 8.81 S.W. ordered thirty pills from Pharma-Master on January 5, 2016. These orders consisted of Alprazolam 3mg pills marked as Xanax, and Diazepam 10 mg pills marked as Valium. S.W. died on April 1, 2016.
- 8.82 A.W. ordered twenty pills from Pharma-Master. These orders consisted of Fentanyl-laced pills marked as M Box 30 Oxycodone 30mg pills, and Etizolam 3mg pills. The last known order was placed on August 10, 2016. A.W. died on January 27, 2017.
- 8.83 D.W. ordered one hundred ten Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on August 25, 2016. D.W. died on September 10, 2016. His toxicology screening showed he had Alprazolam, 2-Fluorofentanyl, Amphetamine, Caffeine, Levamisole, and Nicotine in his system at the time of his death.
- 8.84 W.W. ordered one thousand one hundred ten Alprazolam 3mg pills marked as Xanax from Pharma-Master. The last known order was placed on August 9, 2016. W.W. died on October 31, 2016.
- 8.85 S.L. ordered fifty Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master. The last known order was placed on June 30, 2016. S.L. died on September 30, 2016.
- 8.86 L.S. ordered ten Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from Pharma-Master on April 13, 2016. L.S. died on April 20, 2016.
- 8.87 M.K. obtained a Fentanyl-laced pill marked as a Roxy-Oxycodone 30mg pills with his friend, D.Y., from a local Utah source known to be supplied by Pharma-Master. M.H. crushed and snorted the pill and was found dead on June 9, 2016.
- 8.88 D.Y. obtained a Fentanyl-laced pill marked as Roxy-Oxycodone 30mg pills with his friend, M.K., from a local Utah source known to be supplied by Pharma-Master. D.Y.

crushed and snorted the pill and went into overdose on June 8, 2019. M.K. transported D.Y. to the hospital where he received Narcan twice and came out of the overdose. D.Y. went home to recuperate. D.Y. was notified of M.K.'s death the next day, June 9, 2016. Out of guilt and feeling as if he was the cause of M.K.'s death, D.Y. committed suicide on December 18, 2016.

- 8.89 K.B. obtained Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from a local Utah source known to be supplied by Pharma-Master. K.B. died on August 27, 2016.
- 8.90 N.L. obtained Fentanyl-laced pills marked as Roxy-Oxycodone 30mg pills from a local Utah source known to be supplied by Pharma-Master. N.L. died on November 6, 2016.

These ninety now-deceased customers purchased a very small portion of the hundreds of thousands of Fentanyl-laced fake oxycodone pills the defendant sold in 2016.

9. Providing Just Punishment

Where so many families have lost a loved one, where so many more have struggled through the addiction brought on or furthered along by the defendant's pills, only a sentence like the mandatory-minimum sentence in this case can provide just punishment. The United States has collected statements from the families of the defendant's now-deceased customers and submitted those, under seal, to the Court. Here are five representative samples taken from those statements, redacted to respect the privacy of the families and shared with permission.

9.1 Grief puts its arms around our lungs, mercilessly sucking our hope

[My brother] was more than my big brother, he was my best friend. I will never forget the day he passed. My father called me three times in the morning at 5:30am, when I picked up the phone, I heard noises I wish I could forget. The wailing of my mother sounded like a victim being tortured. My father told me to sit up tall and take a deep breath, my brother was no longer with us.

There isn't an emotion I could possibly explain, all I can tell you is my world crumbled. That day I lost a piece of me and my family lost its' will to live. I could tell you how I dropped to my knees, how I've developed a host of medical issues, how I thought my parents would kill themselves, how I would stay in my parents rooms and watch their chests rise and fall, how I would lose days hugging [my brother's] clothes, or how I had to call all his dearest friends and share the horrendous news. I could try to explain how I've reached a sadness so deep that silent tears roll down my face, from a level of despair I didn't know was possible or how I never knew when I was crying or asleep, as they blended. I could try to tell you how every holiday all is left is the silence of our tears striking [my brother's] favorite dish. I could try to explain how every life event is overshadowed with sadness, and how I never feel complete. I could tell you about

the nieces and nephews [my brother] will never get to know or the empty chair at my wedding one day. But even if I explained this to you, how could you ever understand what this crime has done to me and my family?

Depression has overcome my entire family; we are angry, and we are not a family anymore. Everything that held us together has dissipated. Every day I wish I would wake up from this nightmare. I have avoided everything [my brother] and I did together and have lost myself. All I'm left with are memories and his ashes. I didn't get to say goodbye. How do you explain losing the closest person to you on this earth?

Our cries are a boiling kettle pot, screeching from our souls. Grief puts its arms around our lungs, mercilessly sucking our hope. Our memories are the flashing lights of the ambulance [my brother] never left. His past is the ticking of the clock we didn't hear. His future is a fairytale. My family's present is the paralysis of forever. What do we do with a shattered heart?

[My brother] always told me, "you are my little sister, but I look up to you." That's the only reason I'm writing this letter. [My brother] would want justice. He deserved more than 26 years of life. Our nation deserves more. No parents should be burdened with their child's death. Nothing can bring [my brother] back but maybe one other family can be saved.

9.2 Not a pain pill, but a death pill

My son died from a counterfeit drug laced with fentanyl. A pill deliberately manufactured and marketed to be something else, by someone with wanton disregard for the welfare and lives of others. He never sees the faces or knows the lives of his victims, but my husband and I would like the character and impact of at least one such life to be known.

[My son] was a winsome 23-year old young man, loved by and loyal to many friends. He was hard-working, gifted in athletics and in building or fixing anything, rising in the construction

company for which he worked as supervisor, overseeing four different renovation projects the morning he died. How do you measure the loss when someone in the launching time of life is suddenly cut off?

He left a devastated younger brother finishing his senior year of high school and who counted [my son as] his best friend. They had played soccer, hunted, and fished together, worked together, and had reached the stage of being able to talk man-to-man about life and its challenges. Left without her daddy was a daughter just shy of three years old, who already loved him gleefully. With blond, curly hair, personality and gifting much like his. There will be no dad there on her first day of kindergarten, or on her graduation day, or to give her away in marriage. He left his mom and dad, who heard frequently in the years following his adoption at 3 weeks of age “what a beautiful child,” and who knew what gifts from God were his natural abilities, personality, and character. He left behind his birth parents, who would have met him very soon for the first time.

Why the sudden end to this incredibly valuable life? He took something for pain that was not what it was claimed to be. Not a pain pill, but a death pill. The indiscriminate murder of a deeply loved person whose star was on the rise, snuffed out by a death peddler. Irreplaceable and forever missed. Life here on earth will never be the same, for us and for all his family and close friends and for many of the 1200 people from our community who attended his untimely funeral. An immeasurably valuable life, as all lives are. Also immeasurable is the deep evil of someone who engages in heartless, reckless actions for the sake of enriching himself.

9.3 I discovered his lifeless body in his bedroom

Thank you for the opportunity to provide a personal impact statement regarding our son, who died of a Fentanyl-related overdose at the age of 24.

As an adolescent our son developed Obsessive-Compulsive Disorder (OCD) and acute anxiety. He was treated by a psychiatrist with anti-anxiety medications, which did not help and likely contributed to subsequent drug-seeking behavior to alleviate his obsessive and intrusive thoughts. He later experienced relief from anxiety when he was prescribed an opioid pain medication following extraction of his wisdom teeth. Thereafter, as a college student he pursued illicit “street” opioids for the relief of his OCD and anxiety symptoms.

I am aware that he experienced at least three Fentanyl-related overdoses: The first episode was a horrible experience in July 2015, when he overdosed on Fentanyl after consuming alcohol with his friends. He was immobile on his apartment’s bathroom floor for 16 hours, which resulted in rhabdomyolysis, acute renal failure, pneumonia, brain lesions, tissue necrosis, and life-threatening tachycardia. His life was miraculously spared by powerful prayer to God by family and friends and excellent medical care at [a nearby hospital]. He was in the ICU and hospital rehab for 24 days. We were at his side every day and night during this disruptive and disheartening season. His insurance company paid hundreds of thousands of dollars in medical claims...and [my wife] and I paid thousands. Then, upon return to our home, I spent the following five months helping him recover his ability to walk and to use his arm and hand. It was a horrible and heart-breaking season of life for him, us as parents, and his three siblings. It was then that we learned for the first time of [my son’s] opioid dependence and addiction.

The second episode was a Fentanyl overdose in the spring of 2016 after relapsing. It occurred in a restaurant. He was revived by Narcan. He then tried Suboxone as a preventative of

relapse.

The third Fentanyl-related episode claimed his life [the following year]. He had been “clean” for three months, during which time he confessed to God and me many of his dark troubles as an opioid addict. He told me that he had developed a high tolerance to opioids and had pursued high potency synthetic opioids (e.g., Fentanyl) on the Dark Web to prevent withdrawal symptoms. I know that he did obtain Fentanyl (and other opioids) by mail from at least one illicit source. He told me so.

After three opioid-free months and active participation in Narcotics Anonymous, he relapsed while physically ill and discouraged. I discovered his lifeless body in his bedroom in our basement. The toxicology report indicated Fentanyl, heroin, and prescription Tramadol in his body. It was devastating to our family and his friends. [My wife] and I cried every day for months thereafter. For him the outcome was final and binary, but for us the pain continues day-after-day.

As a father who is still mourning the loss of a precious, creative, and intelligent son, I have the following to say to those justly convicted in this case:

“May you know that your intentional and sociopathic actions motivated by greed and disregard for the value of human lives will mark you for your entire lives ‘with blood on your hands.’ You have very likely contributed to overdoses and manslaughter of vulnerable drug addicts, some of whom you may have created by your distribution of drugs. You cannot reverse that. The guilt and shame are real. You caused countless pain to many families and friends of your victims.

May you honestly confess your sins to the Almighty Father God, the God of Israel, Yahweh. As a father of a son who overdosed and died from Fentanyl, I am willing to forgive

you, as I am a man forgiven of my sins. May you come to know the love and forgiveness of Jesus. My son would want you to know Him.”

9.4 The proof I never wanted to see

[In November] 2016, at 8:01 pm I received a call that would forever change my life, “He’s gone. [Your Brother] is dead.” I rushed over to my parent’s house in less than ten minutes. I remember the lights from all the EMS, Firetrucks, and police cars. Each emergency responder had this look on their faces of deep sadness and pain. I knew each one them personally, invited to their weddings, we went to school together, played as kids, however not one of them would look me directly in my eyes. I don’t remember running up the driveway or porch but suddenly I was standing in the living room. There it was, the proof I never wanted to see. The proof that the phone call was not a mistake. The proof the first responders were not at the wrong house. There laid my perfectly healthy, fit, strong older brother dead on the couch. Television remote in hand, shoes on, and his dinner on the coffee table.

The rest of the night moved in slow motion as I sat with him and watch as people came in and out to collect evidence, analyze the scene, and eventual carry my only sibling out in a body bag. Nothing was ever going to be normal again. We were forever changed.

[My brother] was 37 years old. He was a father of two beautiful children, son to my parents, older brother to me, uncle, friend, and a trusted CPA to his clients. He was intelligent, highly educated, volunteer in the community, kindhearted, and had the gentlest soul. He was a caretaker to me my entire life. My protector, best friend, and someone I thought would always be there for me. Everything changed that fateful fall night. My family was destroyed in ways I could never imagine. His children now live in [another state] and we have very limited communication

with them. It feels like we lost them that day also. I pray the relationship can heal and get better but only time will tell.

I was so overwhelmed with grief that I resigned from a very successful job that I worked years to get. My parents are not the same people. Our relationship is strained and will never be like it was before my brother died. For them after losing a child, life is unbearable. They no longer carry on social relationships with anyone, including me, their only surviving child or even their grandchildren. This loss broke them completely and devastatingly. I have become the caretaker for them and feel that this role reversal I live in is a permanent nightmare I cannot escape.

The home I grew up in and shared so many wonderful memories in now was marred with the image of my brother dead in the living room on the couch. We were forced to sell the home and all the belongings immediately after because my parents refused to ever walk back in. I took them in for the first two and half years. Raising my own children, I suddenly had to be responsible for my parents also. I didn't lose just my brother that night, I lost my parents, my nephew, my niece, my childhood home, my career, and so much more.

Trying to put into words just how much an impact the loss of [my brother] from our lives is seemingly impossible. The decision the defendants made all in the name of greed resulted in death for our family. Death is permanent and the pain felt after is a heartache that never heals. I wouldn't wish this pain or experience on my worst enemy. As a family we kindly ask that [my brother] be remembered as person, a soul that cared so deeply he literally would give people in need the shoes off his feet. His time on this Earth may have been short but he left a lasting impression with everyone that knew him.

9.5 A shrill scream mixed with a gurgle

I woke up one night to a horrible noise. It was unlike anything I had ever heard in my life. It was like a shrill scream mixed with a gurgle. It was high pitched, and painful. I ran to the noise, and saw my husband laying on the couch. His skin was blue, and there was liquid coming out of his mouth. I remember rubbing my eyes and trying to process what was happening in front of me. I ran to [him]. I shook him, and began screaming, “Wake up! Wake up!”

When it became apparent that he wasn’t moving, or breathing at a normal pace, I called 911. I don’t remember much of the conversation. I just remember them walking me through CPR when our neighbor who also happens to be an EMT burst through my door. She later explained that she heard me crying on her scanner. She screamed, “Get back! I’ve got it.” She checked his pulse and began working on him while I stood there shaking.

The next thing I remember is two police officers asking me to tell them what happened. All I could say was, “I don’t know. I don’t know. I was asleep. I don’t know.” More EMTs had arrived at this point, and they were taking [my husband] out on a stretcher. [An] officer asked me if I needed a ride to the hospital. I told him yes. We walked outside, he helped me into the car, and then he went to speak to the paramedics. He came back to the car, and said, “[Ma’am], I need to tell you something. They used Narcan on your husband. He is sitting up talking and has admitted to using illegal substances.”

In that moment, my world went dark. I could not seem to process what the officer had just told me. My only response was, “Why would he do that?” The officer replied, “I’m sorry to be the one to tell you. I don’t know.” I called my parents on the way to the hospital and asked them to pick me up there before calling [my husband]’s mom to explain what had happened. I

told her that I didn't want to stay with [my husband], and that all I wanted to do was be with our son.

The next three weeks were a whirlwind. My son and I moved into my grandmother's basement, and [my husband] stayed at our house. I couldn't stand the thought of being in our home, and as ashamed as I am to admit it now, I couldn't stand the thought of being around [my husband]. I felt so naive for not knowing what was going on right under my nose.

While we weren't living together after his overdose, I did allow him to see [our son] under my supervision. We met up at the park a couple of times, and I did let him come to my grandmother's for dinner once. Then one day, I needed to speak to him, and he wouldn't answer the phone. I didn't think much of it until [my husband]'s dad called me to see if I had spoken to [my husband]. When I told him I hadn't, I remember my dad saying he had a bad feeling, and that he was going to drive by the house. When he got there, my younger brother was running out of the house crying. He had walked in, and found [my husband] passed away on the couch.

When someone close to you passes away, you don't get much time to process anything. You have to pick out a casket, you have to choose a burial plot, you have to hug 300 people who mean well but don't know what to say... In my case, I had to watch our child, who was almost two at the time, walk up to the casket and say, "Mommy, daddy sleep?" I can't even begin to explain how that tortured my soul.

Over the next year, I developed night terrors, PTSD, panic attacks, and Generalized Anxiety Disorder. I couldn't sleep without seeing his face, or hearing the noise he made during the first overdose. One day, my grandmother's ice machine made a noise inside the freezer, and for some reason it reminded me of that noise. I just remember crying, and crying, and then crying some more. My seemingly perfect life had spiraled out of control in a matter of months, and I

was losing touch of the bubbly, sweet, carefree woman I had always been. It was absolutely the worst time of my life. As hard as all of this was for me. I was not the only one going through post-traumatic stress. My younger brother will have to be on anti-anxiety medication for the rest of his life because of what he saw that night. I felt so much guilt, and I knew there was nothing I could do to erase what he saw.

All of our lives have been changed forever, but my main concern has always been, and will always be for our son. I ask you to think about your child. If you're not a parent, I ask you to think about a child you love. Picture his or her face. Now, imagine telling that child that his or her father is never coming home again. Imagine all of the big things that child won't have his or her father present for. [My husband] has already missed our son's first day of school, his kindergarten graduation, his first basketball game, his first baseball game, his first soccer game... the list goes on and on. [My husband] won't be there when our son gets his driver's license, when he graduates from high school, when he graduates from college, or when he gets married.

Some may say that [my husband] made the choice to do drugs, that his death was an inevitable consequence of his actions. I agree that [my husband] had an addiction, a problem that we didn't know about, but I don't believe that what happened was his choice. I will always blame myself for being naive and unaware, and I'll always question if I could've done more to stop his passing. I will never ever condone or make excuses for [my husband]'s addiction. He made some very wrong choices, but Mr. Shamo, and his associates, stole any chance [my husband] had at recovery when they laced the substances [my husband] was using with fentanyl.

I often think about what I will say when my son asks me what happened to his dad. As hard as the past few years have been, I fear some of the worst is yet to come. How do you even

begin to explain this to your child? How do you explain to your son that his father was a great person who had a bad problem? How do you explain to your son that while his father was committing a crime, he didn't know the full extent of what he was putting into his body because someone states away laced the substances? How do you even begin to explain to your son the danger of drugs, and how wrong they are, while not ruining his father's name? How do you find a balance between "your dad loved you very much" and "what he did was not okay"?

You see, [my husband] was nothing like a "typical drug user." When he died, he was holding his laptop finishing up his Bachelor's Degree. At time of his death, he was a computer technician for five schools [nearby]. My husband was far from the image most people think of when they picture an addict. He still had so much to live for, and I can't help but wonder what he would've done had he been given the chance to recover from his addiction.

Ephesians 4:32 says, "And be ye kind one to another, tenderhearted, forgiving one another, even as God for Christ's sake hath forgiven you." My God commands me to forgive Mr. Shamo, and I do. I have learned that forgiveness is for yourself, and in forgiveness you find peace, but I can never forget that while my child looked at his 28-year-old father laying in a casket, Mr. Shamo and his associates were probably playing video games, and living their lives to the fullest. That's just a really hard concept to grasp.

10. Conclusion

The United States respectfully submits that the minimum-mandatory sentence for Count 1, Engaging in a Continuing Enterprise, is a sentence that will promote respect for the rule of law, provide just punishment, protect the public, deter others from committing similar offenses, and reflect the seriousness of the offense, as required by 18 U.S.C. 3553(a).

Respectfully submitted this 29th day of September, 2020.

JOHN W. HUBER
United States Attorney

/s/ Michael Gadd
MICHAEL GADD
Special Assistant United States Attorney